

State of Wisconsin

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
Madison, WI 53708-8953
Phone: (608) 266-2540

Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Howard Marklein
Representative Mark Born

Date: October 14, 2021

Re: s. 16.515/16.505(2), Stats. Request

Attached is a copy of a request from the Department of Administration, received October 14, 2021, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Department of Justice.

Please review the material and notify **Senator Marklein** or **Representative Born** no later than **Tuesday, November 2, 2021**, if you have any concerns about the request or if you would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

Attachments

HM:MB:jm



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Joel Brennan, Secretary

Date: October 14, 2021

To: The Honorable Howard Marklein, Co-Chair
Joint Committee on Finance

The Honorable Mark Born, Co-Chair
Joint Committee on Finance

From: Joel T. Brennan, Secretary *JTB*
Department of Administration

OCT 14 2021
JT. Finance

Subject: s. 16.515/16.505(2) Request(s)

Enclosed are request(s) that have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2021-22</u> <u>AMOUNT</u>	<u>FTE</u>	<u>2022-23</u> <u>AMOUNT</u>	<u>FTE</u>
DOJ 20.455(5)(ke)	Child advocacy centers	\$17,000	0	\$17,000	0

As provided in s. 16.515, the request(s) will be approved on November 4, 2021, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about any of the requests.

Please contact Kirsten Grinde at 266-1353, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments



STATE OF WISCONSIN

DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Joel Brennan, Secretary
Brian Pahnke, Administrator

Date: October 13, 2021

To: Joel Brennan, Secretary
Department of Administration

From: Michael R. Schmidt
Executive Policy and Budget Analyst

Subject: Request under s. 16.515 from the Department of Justice for increased expenditure authority to make a child advocacy grant payment to the Lakeshore Regional Child Advocacy Center in Ozaukee County.

Request:

The Department of Justice requests additional expenditure authority of \$17,000 PR-S in each of fiscal years 2021-22 and 2022-23 in the child advocacy centers appropriation under s. 20.455(5)(ke). The requested expenditure authority would be for an ongoing basis.

Revenue Sources for Appropriation(s):

The program revenue appropriation for child advocacy centers under s. 20.455(5)(ke) is funded by revenue from the justice information surcharge.

Background:

The Department of Justice administers the child advocacy grant program. The program supports education, training, medical advice and quality assurance activities at child advocacy centers. Child advocacy centers are designed to minimize a child victim's trauma. They provide a central, child-friendly location where multidisciplinary teams including law enforcement, child protective services, victim advocacy agencies and health care providers can provide services to child crime victims. These services can include crime victim resources or referrals, forensic interviews and medical evaluations.

By statute, the department must provide \$17,000 each year in child advocacy grants to 11 statutorily specified child advocacy centers and three child advocacy centers located in statutorily specified counties¹. The statute also requires that the payments be made from the appropriation under s. 20.455(5)(ke). Table 1 identifies the statutory child advocacy grant recipients.

¹ Section 165.96, Wisconsin Statutes.

Table 1. Child Advocacy Grant Recipients

Recipient	County
Care House	Rock
Child Protection Center	Milwaukee
Safe Harbor	Dane
Kenosha Child Advocacy Center	Kenosha
Fox Valley Child Advocacy Center	Winnebago
Stepping Stones	La Crosse
CARE Center	Waukesha
Child Advocacy Center of Northeastern Wisconsin	Marathon
Chippewa County Child Advocacy Center	Chippewa
A child advocacy center	Brown
A child advocacy center	Racine
A child advocacy center	Walworth
CHAT Room	Green
Marshfield Child Advocacy Center	Wood
Lakeshore Regional Child Advocacy Center	Ozaukee

The Lakeshore Regional Child Advocacy Center in Ozaukee County was added to the list of child advocacy centers receiving grants in 2021 Wisconsin Act 58, the 2021-23 Biennial Budget. It was added to the list during budget deliberations by Motion 98, Item 18, which was adopted by the Joint Committee on Finance at an executive session on June 10, 2021, but did not include a corresponding increase in funding.

The child advocacy centers appropriation is funded by revenue from the justice information system surcharge. The surcharge is \$21.50 for certain court proceedings. The surcharge is collected by the Department of Administration and deposited in the justice information fee receipts appropriation under s. 20.505(1)(id). Surcharge funds are distributed to appropriations based on the respective amounts in the schedule under s. 20.005(3) in the Department of Administration, Department of Corrections, Department of Justice and Department of Military Affairs; and \$6 of every \$21.50 is credited to the Supreme Court's court information systems appropriation under s. 20.680(2)(j). In addition, \$700,000 is transferred annually from the justice information fee receipts appropriation to the general fund.

The current expenditure authority in the child advocacy centers appropriation is \$238,000 in each year of the 2021-23 biennium.

Analysis:

The current expenditure authority of \$238,000 in each year of the 2021-23 biennium in the child advocacy centers appropriation is enough to support 14 grants of \$17,000 annually. However, there are now 15 statutorily specified recipients. The department's request to increase authority by \$17,000 in the child advocacy centers appropriation in fiscal years 2021-22 and 2022-23, and on an ongoing basis, would allow the department to pay the required grant amount to all 15 statutorily required child advocacy grant recipients.

The child advocacy centers appropriation is funded by revenue from the justice information system surcharge, which is in overdraft. Figure 1 below is a table from the Department of Administration's fiscal year 2019-20 program revenue unsupported overdraft plan submitted under s. 16.513(3), and illustrates the annual collections to, transfers from and resulting cash balance of the justice information fee receipts appropriation.

Figure 1. Justice Information Fee Receipts Appropriation Cash Balance

	2015-16	2016-17	2017-18	2018-19	2019-20
Beginning Balance	<u>\$(2,800,879)</u>	<u>\$(2,343,341)</u>	<u>\$(3,471,171)</u>	<u>\$(4,500,137)</u>	<u>\$(5,379,793)</u>
Collections	<u>\$ 8,428,025</u>	<u>\$ 8,454,461</u>	<u>\$ 8,759,672</u>	<u>\$ 8,794,822</u>	<u>\$ 8,215,514</u>
Transfers:					
General Fund	<u>\$ 700,000</u>	<u>\$ 700,000</u>	<u>\$ 700,000</u>	<u>\$ 700,000</u>	<u>\$ 700,000</u>
Appropriation Accounts	<u>9,121,000</u>	<u>9,130,600</u>	<u>9,356,000</u>	<u>9,369,600</u>	<u>8,310,800</u>
Total	<u>\$ 9,821,000</u>	<u>\$ 9,830,600</u>	<u>\$10,056,000</u>	<u>\$10,069,600</u>	<u>\$ 9,010,800</u>
Less: Reversions ¹	<u>(1,850,513)</u>	<u>(248,309)</u>	<u>(267,362)</u>	<u>(395,121)</u>	<u>(222,926)</u>
Net Transfers	<u>\$ 7,970,487</u>	<u>\$ 9,582,291</u>	<u>\$ 9,788,638</u>	<u>\$ 9,674,479</u>	<u>\$ 8,787,874</u>
Net Collections	<u>\$ 457,538</u>	<u>\$(1,127,830)</u>	<u>\$(1,028,966)</u>	<u>\$ (879,657)</u>	<u>\$ (572,361)</u>
Ending Balance	<u>\$(2,343,341)</u>	<u>\$(3,471,171)</u>	<u>\$(4,500,137)</u>	<u>\$(5,379,793)</u>	<u>\$(5,952,154)</u>

¹ 2015 Wisconsin Act 55 modified appropriation accounts under 20.505 (1) (id), to require an annual reversion of unencumbered balances beginning in fiscal 2015-16 and to return unused moneys in an amount equal to the June 30, 2015, balance. The FY 2015-16 reversion amount included \$1,527,075 collected as a result of the latter provision.

In addition, the justice information fee receipts appropriation collected \$7,023,259 in fiscal year 2020-21 and \$1,270,541 through the end of August 2021 in fiscal year 2021-22. There was a \$700,000 transfer from the appropriation to the general fund in fiscal year 2020-21, and under current law, \$700,000 will be transferred from the appropriation to the general fund in each year of the 2021-23 biennium. The transfer from the justice information fee receipts appropriation to the appropriation accounts in fiscal year 2020-21 was \$8,336,300 and, based on Act 58 and the amounts in the schedule under s. 20.005(3), would be \$8,635,500 in fiscal year 2021-22 and \$8,635,900 in fiscal year 2022-23.

Regarding the overdraft and transfers from the justice information fee receipts appropriation during the 2021-23 biennium, it should be noted that:

At the June 10, 2021, executive session regarding the 2021-23 biennial budget, the Joint Committee on Finance approved the conversion of \$1,000,000 PR annually in justice information system fee-funded [Treatment Alternatives and Diversion] grants to \$1,000,000 GPR annually. This item was inadvertently excluded from the Committee's substitute amendment. As a result, the approved funding conversion was not included in the Act 58.²

² Legislative Fiscal Bureau, 2021-23 Wisconsin State Budget, Summary of Provisions 169 (Aug. 2021).

Joel Brennan, Secretary

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October 13, 2021

It is possible that increasing the amount of funding for child advocacy grants could potentially limit the ability of the overdraft in the justice information fee receipts appropriation to be eliminated. However, the department is statutorily required to make a child advocacy grant payment to the Lakeshore Regional Child Advocacy Center, and the other 14 recipients. The department's request would allow it to do that.

Recommendation:

Approve the request.

CORRESPONDENCE/MemorandumState of Wisconsin
Department of Administration

Date: October 13, 2021
To: Brian Pahnke
From: Michael R. Schmidt
Subject: Section 16.515 Request

Attached is a s. 16.515 request analysis for your approval and processing. Listed below is a summary of each item:

DOA RECOMMENDATION:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2021-22</u>		<u>2022-23</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DOJ 20.455(5)(ke)	Child advocacy centers	\$17,000		\$17,000	

AGENCY REQUEST:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2021-22</u>		<u>2022-23</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DOJ 20.455(5)(ke)	Child advocacy centers	\$17,000		\$17,000	

BP APPROVAL BP (FORWARD TO GAIL TAPPEN)



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

Josh Kaul
Attorney General

Room 114 East, State Capitol
PO Box 7857
Madison WI 53707-7857
(608) 266-1221
TTY 1-800-947-3529

September 16, 2021

SENT VIA EMAIL

Brian D. Pahnke
Division of Executive Budget and Finance
Department of Administration
101 E. Wilson Street, 10th Floor
Madison WI 53702

Re: Request for Program Revenue Expenditure Authority

Dear Administrator Pahnke:

Pursuant to Wis. Stat. § 16.515, the Department of Justice respectfully requests a supplement of \$17,000 in the Child Advocacy Centers appropriation under Wis. Stat. § 20.455 (5)(ke) in state fiscal years 2021-22 and 2022-23. The supplement is necessary to issue an annual payment to the Lakeshore Regional Child Advocacy Center, which was added to the list of recipients under Wis. Stat. § 165.96 by 2021 Wisconsin Act 58.

BACKGROUND

Under the requirements of Wis. Stat. § 165.96, the department awards annual grants in the amount of \$17,000 each to specified child advocacy centers. The payments are funded by a sum certain program revenue-service appropriation under Wis. Stat. § 20.455 (5)(ke), supported by revenue transferred from the Justice Information Surcharge.

The 2021-23 biennial budget, 2021 Act 58, added one child advocacy center to the list of recipients of the payments. Because the amount of the payments is specified by statute, as is the appropriation that will be used to make the payments, the amount of the appropriation must be increased by \$17,000 from \$238,000 in current law to \$255,000.

Brian D. Pahnke
September 16, 2021
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APPROPRIATION AND REVENUE

The Child Advocacy Centers appropriation under Wis. Stat. § 20.455 (2)(ke) is funded by a transfer of revenue from the Justice Information Surcharge equal to the amounts in the Chapter 20 schedule from the Department of Administration Justice Information Fee Receipts appropriation under § 20.505 (1)(id).

Thank you for your consideration of this request. If you have questions or require additional information, please contact Michelle Gauger at gaugermc@doj.state.wi.us or (608) 267-6714.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Wilson".

Eric J. Wilson
Deputy Attorney General

EJW:MCG:alm